

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	No. 5:24-CR-45-CAR-CHW
MICHAEL PRIEST,	:	
	:	
Defendant.	:	
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ORDER GRANTING UNOPPOSED MOTION TO CONTINUE TRIAL

Currently before the Court is Defendant Michael Priest's Unopposed Motion to Continue [Doc. 45] the pretrial conference scheduled for January 2, 2025, and the trial of this case set for January 27, 2025. On August 14, 2024, the Grand Jury returned an indictment charging Defendant with one count of Possession of a Firearm by a Convicted Felon. On August 26, 2024, Defendant was arrested, and on August 27, 2024, Defendant was appointed counsel, pled not guilty at his arraignment, and after a detention hearing on August 30, 2024, was detained pending resolution of his charges. This case has been previously continued three times, and the Government does not oppose Defendant's request for the current continuance.

On October 22, 2024, United States Magistrate Judge Charles Weigle ordered Defendant be committed to the Bureau of Prisons to undergo a competency evaluation

pursuant to 18 U.S.C. §§ 4241(b) and 4247(b).¹ Defendant was picked up by the United States Marshals and transported to Robert Dayton Detention Facility in Atlanta, Georgia, where he was housed under federal custody awaiting JPATS (Justice Prisoner and Alien Transportation System) pickup to transport him to Miami FDC, where he has been designated for the court-ordered evaluation to determine his competency to stand trial. Thus, additional time is needed for Defendant to undergo the competency evaluation. On December 16, 2024, United States Magistrate Judge Charles Weigle granted the request from evaluators to extend the deadline for their report on Defendant's competency to February 13, 2025. Defendant remains in Miami FDC, and the report will not be available by the currently-set pretrial conference or trial of this case.

Having considered the matter, the Court finds it serves the ends of justice to continue the trial of this case to receive and review the competency evaluation. The ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. Failure to grant a continuance would deny counsel reasonable time to effectively represent Defendant, construct a defense, and could result in a miscarriage of justice.

Thus, Defendant's Unopposed Motion to Continue [Doc. 45] is **GRANTED**, and **IT IS HEREBY ORDERED** that this case be continued until April 7, 2025, the next

¹ Doc. 37.

regularly scheduled term of Court for the Macon Division. The delay occasioned by this continuance shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161.

SO ORDERED, this 2nd day of January, 2025.

s/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT